REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed April 28, 2005. In the Office Action, claims 1-2, 5-7, 9-12, 15-17, 19-22, 24-27, 30-32, and 34-36 stand rejected under 35 U.S.C. § 102, and claims 4, 14, and 29 stand rejected under 35 U.S.C. § 103 in view of U.S. Patent No. 6,442,519 issued to Kavensky (hereinafter Kavensky).

Applicant has amended independent claims 1, 11, 21, and 26 to further clarify the embodiments of the invention.

Applicant respectfully submits that amended independent claims 1, 11, 21, and 26 are not anticipated or rendered obvious by Kavensky, because Kavensky does not teach or suggest the claim limitations of amended independent claims 1, 11, 21, and 26.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Applicants amended independent claims 1, 11, 21, and 26 generally relate to a server that is coupled to a client device having speech recognition functionality...an acoustic model adaptor located at the server *adapts an acoustic model specifically for a user of the client device*...and when a network connection between the client device and the server exists, *the server and the client device together implement a single user speech recognition system in which digitized raw speech data of a user or extracted speech feature data of a user is received by the server from the client device and the acoustic model adaptor adapts a user-specific acoustic model for the client device based solely on the digitized raw speech data of the user or the extracted speech feature data of the user and the server stores the adapted user-specific acoustic model for use only by the associated client device and user.*

In stark contrast, Kavenesky is related to the adaption of acoustic models based on a network of similar users. Hence, Kavensky is entitled "Speaker Model Adaption Via Network of Similar Users."

As set forth in the abstract of Kanevsky, Kanevsky teaches a speech recognition system method and program product for recognizing speech input from computer users connected together over a network of computers…Speech recognition computer users on the network are clustered into classes of similar users according to their similarities, including characteristics, nationality, profession, sex, age, etc…User characteristics are collected from databases over the network and from users using the speech recognition system and then, distributed over the network during or after user activities…Update information, including information about user activities and user acoustic model data, is transmitted over the network and identified similar language models are updated… Acoustic models improve for users that are connected over the network as similar users use the respective speech recognition system. (Emphasis Added).

As summarized in the Abstract, and as set forth in the rest of Kavensky, Kavensky is directed to speech recognition in which audio models for classes of similar users are updated based upon similar user characteristics and similar audio models for a large number of networked users.

This is completely different than the limitations of Applicant's amended independent claims in which when there is a network connection between the client device and the server, the server and client device together implement *a single user speech recognition system in which digitized raw speech data of a user or extracted speech feature data of a user is received by the server from the client device and the acoustic model adaptor adapts a user-specific acoustic model for the client device based solely on the digitized raw speech data of the user or the extracted speech feature data of the user and the server stores the adapted user-specific acoustic model for use only by the associated client device and user.*

Although in the previous Office Action, the Office Action cited column 7, lines 1-67 as being relevant, Applicant respectfully traverses this and would like to have the following remarks considered. Column 7 of Kavensky describes Figure 2 of Kavensky which illustrates the features of Kavensky. To begin with, Kavensky (column 7, lines 19-40), teaches, different user acoustic models are clustered into classes according to acoustic similarities of the users, thereby clustering the speakers based on vocal and verbal similarities…First, in step 122,

acoustic profile data for individual users previously accumulated and stored in the local databases are passed over the network 100 to the server 106...The users' acoustic data are compared in step 124 of the server 106...In step 126, based on that comparison, users are clustered into classes of similar users according to acoustic voice similarities...Then, in step 128, different acoustic models (i.e., different domains) are compared in sets associated with similar users to derive cluster update data...Finally, in step 130, acoustic model components for similar users are modified relative to user production activities...So acoustic model components, including data about users and information about user activities, are thereby synchronized in all similar acoustic models across the network. (Emphasis Added).

Thus, Kanevsky is directed the updating of similar audio models based on multiple connected computer systems and multiple users having similar characteristics across a network such that similar acoustic models across the network are synchronized with one another.

This is completely different than Applicant's amended independent claims in which, *when there is a network connection between the client device and the server, the server and client device together implement a single user speech recognition system in which speech digitized raw speech of a user or extracted speech feature data of a user is received by the server from the client device and the acoustic model adaptor adapts a user-specific acoustic model for the client device based solely on the digitized raw speech data of the user or the extracted speech feature data of the user and the server stores the adapted user-specific acoustic model for use only by the associated client device and user.*

As previously discussed, Applicant respectfully submits that Kavensky does not teach or suggest the limitations of Applicant's amended independent claims, and actually teaches away from Applicants amended independent claims, because Kavensky is related to updating simliar acoustic models based upon multiple connected computer systems and multiple different users having similar characteristics such that similar acoustic models across the network are synchronized with one another.

Kavensky quite clearly does not teach or suggest a single user speech recognitions system wherein an acoustic model adaptor adapts a user-specific acoustic model for a client device

based solely on data from the specific user and a server then stores the adapted user-specific acoustic model for use only by the associated client device and user.

In fact, the background section of Kanevsky in column 1, lines 51-61 sets forth the disadvantages of *single user speech recognition systems*. Particularly, Kanevsky teaches that: "While generally recognizing spoken words with a relative high degree of accuracy, especially in a single user system, these prior speech recognition systems still, frequently, make inappropriate recognition errors. Generally, for single user systems, these errors can be reduced with additional user specific training...However, additional training and increased data volume that must be handled during training are undesirable..."

Thus, Kavensky actually teaches away from *single use speech recognition systems* Kavensky is directed to remedying the problems of single user systems with its invention directed to speech recognition updating similar audio models based on multiple connected computer systems and multiple users having similar characteristics across a network such that similar acoustic models are synchronized with one another. As set forth in the MPEP §2145, it is improper to combine references where one of the references teaches away from the combination.

In fact, the intended function of Kavensky would be destroyed if it were attempted to be altered to, in hindsight, recreate Applicant's amended independent claim limitations. As set forth in MPEP § 2145.X.D and 2143.01 when a §103 rejection is based upon a modification of a reference that *destroys the intent, purpose or function of the invention disclosed in the reference*, such a proposed modification is not proper and the *prima facie* case of obviousness cannot be properly made.

Thus, as previously discussed, Kavensky does not teach or suggest the limitations of Applicant's amended independent claims 1, 11, 21, and 26, and, in fact, teaches away from Applicant's amended independent claims. Accordingly, Applicants amended independent claims 1, 11, 21, and 26 should be allowable and passed to issuance. Further, the dependent claims that depend therefrom are also patentable.

Conclusion

In view of the remarks made above, it is respectfully submitted that pending claims 1, 2, 4, 5, 10-12, 14, 15, 20-22, 25-27, 29, 30 and 35 define the subject invention over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

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Dated: 6/27/2005   By

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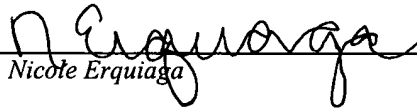
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